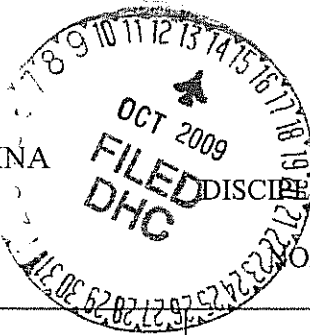


STATE OF NORTH CAROLINA

WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
09 DHC 26

THE NORTH CAROLINA STATE BAR,

Plaintiff

v.

WILLIAM D. ORANDER, III, Attorney,

Defendant

COMPLAINT

Plaintiff, complaining of Defendant, alleges and says:

1. Plaintiff, the North Carolina State Bar ("State Bar"), is a body duly organized under the laws of North Carolina and is the proper party to bring this proceeding under the authority granted it in Chapter 84 of the General Statutes of North Carolina, and the Rules and Regulations of the North Carolina State Bar (Chapter 1 of Title 27 of the North Carolina Administrative Code).

2. Defendant, William D. Orander, III ("Orander"), was admitted to the North Carolina State Bar in 1995, and is, and was at all times referred to herein, an attorney at law licensed to practice in North Carolina, subject to the laws of the State of North Carolina, the Rules and Regulations of the North Carolina State Bar and the Rules of Professional Conduct.

Upon information and belief:

3. During all or part of the relevant periods referred to herein, Orander was engaged in the practice of law in the State of North Carolina and maintained a law office in Goldsboro, Wayne County, North Carolina.

4. Orander was the closing attorney for numerous real estate transactions from about January 1, 2004 through December 31, 2006 in which individuals purchased property financed by loans secured by that property, including those transactions listed on attached Exhibit A.

5. For the real estate closings on the list attached as Exhibit A, Orander prepared HUD-1 Settlement Statements that falsely reflected that the loans were refinance loans as opposed to purchase loans and provided those false HUD-1 Settlement Statements to the lending institutions.

6. Orander prepared and submitted the false refinance HUD-1 Settlement Statements in conjunction with others who sought to disguise the purchase transactions as refinance transactions.

7. The institutions making the loans for the closings listed in Exhibit A underwrote the loans as if they were refinance loans rather than purchase loans. In several instances, the amount loaned exceeded the purchase price of the house, and the borrowers received money from the closings.

8. Orander knew that the lenders would loan more money to the borrowers for a refinance loan than for a purchase loan at the time of the conduct described herein.

9. Orander prepared the false refinance HUD-1 Settlement Statements to enable the borrowers to borrow more money than otherwise would have been approved for a purchase loan.

10. The institutions that made the loans to the borrowers as listed in Exhibit A are institutions the accounts of which were insured by the Federal Deposit Insurance Corporation (FDIC).

11. It is a violation of 18 U.S.C. § 1014 for a person to make a false statement to an institution the accounts of which are insured by the FDIC for the purpose of influencing the action of the institution, punishable by a fine up to \$1,000,000.00 and imprisonment of up to 30 years.

12. By submitting false refinance HUD-1 Settlement Statements to the lenders in the closings listed on Exhibit A, Orander knowingly made false statements to institutions the accounts of which were insured by the FDIC for the purpose of influencing the action of those institutions in violation of 18 U.S.C. § 1014.

13. By preparing false refinance HUD-1 Settlement Statements, closing transactions with false refinance HUD-1 Settlement Statements, and providing the executed closing documents with the false refinance HUD-1 Settlement Statements to the lenders in the closings listed on Exhibit A, Orander violated 18 U.S.C. § 2 by aiding others in making false statements to institutions the accounts of which were insured by the FDIC for the purpose of influencing the action of those institutions in violation of 18 U.S.C. § 1014.

THEREFORE, Plaintiff alleges that Defendant's foregoing actions constitute grounds for discipline pursuant to N.C. Gen. Stat. § 84-28(b)(2) in that Defendant violated the Rules of Professional Conduct in effect at the time of the conduct as follows:

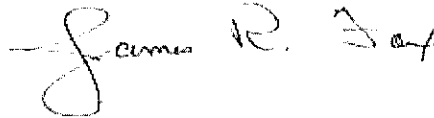
(a) By preparing and providing the lenders with false refinance HUD-1 Settlement Statements, Orander committed criminal acts that reflect adversely on his honesty, trustworthiness, or fitness in other respects in violation of Rule 8.4(b) and engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation in violation of Rule 8.4(c); and

(b) By preparing and providing the lenders with false refinance HUD-1 Settlement Statements and closing transactions in which he knew the lender had received false refinance HUD-1 Settlement Statements, Orander assisted others in committing fraud upon the lender in violation of Rule 8.4(a), Rule 8.4(b), Rule 8.4(c), and Rule 1.2(d).

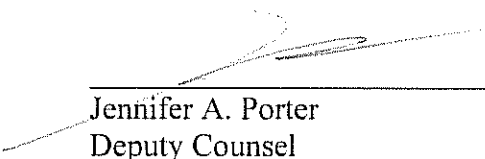
WHEREFORE, Plaintiff prays that:

- (1) Disciplinary action be taken against Defendant in accordance with N.C. Gen. Stat. § 84-28(a) and § .0114 of the Discipline and Disability Rules of the North Carolina State Bar (27 N.C.A.C. 1B § .0114), as the evidence on hearing may warrant;
- (2) Defendant be taxed with the costs permitted by law in connection with this proceeding; and
- (3) For such other and further relief as is appropriate.

The 14th day of October 2009.



James R. Fox, Chair
Grievance Committee



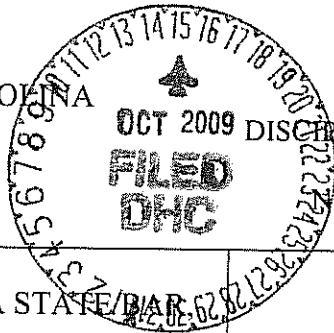
Jennifer A. Porter
Deputy Counsel
State Bar No. 30016
The North Carolina State Bar
P.O. Box 25908
Raleigh, NC 27611
919-828-4620

Attorney for the Plaintiff

STATE OF NORTH CAROLINA

WAKE COUNTY

THE NORTH CAROLINA STATE BAR



BEFORE THE
DISCIPLINARY HEARING COMMISSION
OF THE
NORTH CAROLINA STATE BAR
09 DHC 26

Plaintiff

v.

WILLIAM D. ORANDER, III, Attorney,

Defendant

AMENDED
COMPLAINT

COMES NOW the North Carolina State Bar, Plaintiff, pursuant to Rule 15 of the North Carolina Rules of Civil Procedure and prior to service of any responsive pleading in this case, and amends its Complaint as follows:

1. The Complaint filed in this case references an Exhibit A. Exhibit A was not attached to the Complaint when it was filed, however. The Complaint is hereby amended to attach Exhibit A. The Exhibit A referenced in the Complaint is attached to this Amended Complaint.

2. In all other respects Plaintiff's Complaint remains unchanged.

This is the 15th day of October 2009.

Jennifer A. Porter
Deputy Counsel
The North Carolina State Bar
P.O. Box 25908
Raleigh, NC 27611
Attorney for Plaintiff

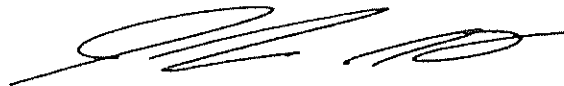
Signed by counsel alone with the approval
of the chairperson of the Grievance
Committee pursuant to 27 N.C. Admin.
Code 1B § .0113(m).

CERTIFICATE OF SERVICE

This is to certify that the foregoing Amended Complaint was hereby served on William D. Orander, III by depositing it in the United States Mail, postage prepaid to counsel for the Defendant, Mr. Stephen Smith, at the following address:

Stephen T. Smith
Attorney at Law
P.O. Box 150
Raleigh, NC 27602

This the 15th day of October 2009.



Jennifer A. Porter
Deputy Counsel
NC State Bar
PO Box 25908
Raleigh, NC 27611

Borrower	Seller	Property	Date	Lender
1. ASP Properties, LLC	Wachovia Bank, N.A.	271 Woodland Church Road, Dudley, NC 28333	4/20/2004	Southern Bank and Trust Company
2. ASP Properties, LLC	Deutsche Bank National Trust	119 Dafoodi Drive Dudley, NC 28333	5/24/2004	Southern Bank and Trust Company
3. ASP Properties, LLC	Wachovia Bank, N.A.	118 Dafoodi Drive Dudley, NC 27833	5/25/2004	Southern Bank and Trust Company
4. ASP Properties, LLC	Sound Investments of New Bern, Inc.	114 Heather Glen Drive Goldsboro, NC 27530	5/25/2004	Southern Bank and Trust Company
5. Artis Lee Davis and wife, Ella H. Davis	Manufacturers & Traders Trust Company, Trustee	608 11th Street Goldsboro, NC 27530	7/15/2004	Southern Bank and Trust Company
6. Goldtower Properties, LLC	Fannie Mae	206 Devonshire Goldsboro, NC 27530	8/12/2004	Southern Bank and Trust Company
7. ASP Properties, LLC	Deutsche Bank National Trust	125 Dafoodi Drive Goldsboro, NC 27530	8/12/2004	Southern Bank and Trust Company
8. ASP Properties, LLC	Wells Fargo Bank Minnesota, NA	202 Sami Street Goldsboro, NC 27530	8/23/2004	Southern Bank and Trust Company
9. Joseph N. Falcone and wife Mary E. Falcone	Department of Veteran Affairs	103 Sallie Place Goldsboro, NC 27534	9/22/2004	Southern Bank and Trust Company
10. ASP Properties, LLC	Wachovia Bank, N.A.	215 Devonshire Goldsboro, NC 27530	10/4/2004	Southern Bank and Trust Company
11. Tracy L. Merritt	H. Terry Hutchens, PA	257 Charlie Braswell Road Goldsboro, NC 27534	10/20/2004	Southern Bank and Trust Company
12. R.K. Parker, LLC	Homecomings Financial Network, Inc.	202 Timber Hollow Dudley, NC 28333	11/8/2004	Southern Bank and Trust Company
13. William D. Herring and Lori S. Herring	Humphrey and Humphrey, LLC	3215-3217 Chris Street Kinston, NC 28504	11/9/2004	Southern Bank and Trust Company
14. J-Co Enterprises, LLC	Wachovia Bank, N.A.	105 Broughton Lane La Grange, NC 28551	1/6/2005	Southern Bank and Trust Company
15. Rhonda Coker	Deutsche Bank National Trust	106 Melodie Lane Goldsboro, NC 27530	3/7/2005	Southern Bank and Trust Company
16. William D. Herring and W. Stephen Moore	Ada K. Melvin	410 W. Ash Street Goldsboro, NC 27530	3/23/2005	Southern Bank and Trust Company
17. Rhonda Coker	Long Beach Mortgage Company	202 Janice Drive Dudley, NC 28333	3/28/2005	Southern Bank and Trust Company
18. T&D Home Buyers, LLC	Wachovia Bank, N.A.	1971 Hinnant Road Pikeville, NC 27863	3/30/2005	Southern Bank and Trust Company

Borrower	Seller	Property	Date	Lender
19. Christopher M. Withrow and wife, Penny G. Withrow	Steven Fox and wife, Michelle Fox	203 Autumn Winds Drive Goldsboro, NC 27530	4/14/2005	Southern Bank and Trust Company
20. Rhonda Coker	US Bank National Association	109 Melodie Lane, Goldsboro, NC 27534	4/15/2005	Southern Bank and Trust Company
21. Donald F. Rarick, Jr., and wife, Cheryl L. Rarick	T&D Homebuyers, LLC	462 Potts Road Dudley, NC 28333	4/21/2005	Southern Bank and Trust Company
22. J-Co Enterprises, LLC	Wachovia Bank, N.A.	204 Brook Meadows Drive La Grange, NC 28351	4/22/2005	Southern Bank and Trust Company
23. William D. Herring and W. Stephen Moore	Margaret McKeel Albritton	405 West Pine Street Goldsboro, NC 27530	5/9/2005	Southern Bank and Trust Company
24. Lightning Properties, LLC	Wells Fargo Bank, N.A.	125 Party Road Pikeville, NC 27863	5/25/2005	Southern Bank and Trust Company
25. Robert K. Parker	Washington Mutual Bank, N.A.	112 Broughton Lane La Grange, NC 28551	5/25/2005	Southern Bank and Trust Company
26. Joseph N. Falcone and wife Mary E. Falcone	Ezdehar Sarsour and husband Ghazi Sarsour	203 Holly Road Goldsboro, NC 27534	5/31/2005	Southern Bank and Trust Company
27. Scott Goodwin	Deutsche Bank National Trust	102 Redman Court La Grange, NC 28551	5/31/2005	Southern Bank and Trust Company
28. James H. King and wife, Sally L. King	Pluto Real Estate, Inc.	601 Linen Lane Goldsboro, NC 27534	6/6/2005	Southern Bank and Trust Company
29. R.K. Parker, LLC	Suntrust Mortgage	3981 Falling Creek Road La Grange, NC 28551	6/27/2005	Southern Bank and Trust Company
30. ASP Properties, LLC	Option One Mortgage Corporation	108 Melodie Lane Goldsboro, NC 27530	7/6/2005	The Little Bank
31. Amy N. Latour	Michael Arthur and, Darrell Arthur	566 Pinkney Church Road Pikeville, NC 27863	7/15/2005	Southern Bank and Trust Company
32. Abbey Road Investments, Inc.	Larry Rook and wife, Betty Rook	106 W. Wayne Street & 206 Main Street Fremont, NC 27830	7/18/2005	Southern Bank and Trust Company
33. William D. Herring and W. Stephen Moore	Mamie H. Bundy	1104 Laurel Street Goldsboro, NC 27530	7/25/2005	Southern Bank and Trust Company
34. William D. Herring and W. Stephen Moore	Charles W. Gardner and wife, Shirley Kirby Gardner	3119 US Hwy 70 West, Goldsboro, NC 27530	8/4/2005	Southern Bank and Trust Company
35. Rosanna J. White and David J. White	American General Finance Co.	220 Rollinwood Drive Goldsboro, NC 27530	8/16/2005	Southern Bank and Trust Company

Borrower	Seller	Property	Date	Lender
36. J-Co Enterprises, LLC	Jarvis D. Grady and wife, Mary Grady	203 Forest Knolls Road Goldsboro, NC 27534	8/18/2005	Southern Bank and Trust Company
37. Darrell Arthur and Michael Arthur	DLJ Mortgage, Inc., C/O America's Servicing Company	3948 Friendship Church Rd Walstonburg, NC 27888	8/30/2005	Southern Bank and Trust Company
38. R.K. Parker, LLC	Bank of America, N.A.	111 Autumn Winds Drive Goldsboro, NC 27530	9/9/2005	Southern Bank and Trust Company
39. Kristie G. Parker	Bank of America, N.A.	102 Orchard Run Drive Mount Olive, NC 28365	9/19/2005	Southern Bank and Trust Company
40. Scott Goodwin	Homeq Servicing Corporation f/k/a TMS Mortgage Inc. d/b/a The Money Store	104 Carla Ann Drive Goldsboro, NC 27530	9/19/2005	Southern Bank and Trust Company
41. Gerale J. Condon	Evelyn Walden	2020 Old Grantham Road Goldsboro, NC 27530	9/26/2005	Southern Bank and Trust Company
42. William D. Herring and W. Stephen Moore	TCIF REO2, LLC	710 E. Elm Street Goldsboro, NC 27530	10/28/2005	Southern Bank and Trust Company
43. Lightning Properties, LLC	Pearlie B. Darden	211 Quail Drive Goldsboro, NC 27534	10/31/2005	Southern Bank and Trust Company
44. William D. Herring and W. Stephen Moore	Barowe, LLC	245 Millers Chapel Road Goldsboro, NC 27530	11/2/2005	Southern Bank and Trust Company
45. J-Co Enterprises, LLC	Secretary of Housing Development	201 Robinson Drive Goldsboro, NC 27534	12/20/2005	Southern Bank and Trust Company
46. Gerale J. Condon	Self Help Ventures Fund	105 Nugget Drive Dudley, NC 28333	1/13/2006	Southern Bank and Trust Company
47. Abbey Road Investments, Inc.	Netbank	42 Brook Place La Grange, NC 28551	1/20/2006	Southern Bank and Trust Company
48. Kristie G. Parker	Deutsche Bank National Trust	1146 Daw Pate Road Pikeville, NC 27863	2/16/2006	Southern Bank and Trust Company
49. Robert K. Parker	Christopher M. Evans and wife, Melissa Evans	103 Hyde Park Place Goldsboro, NC 27530	2/17/2006	New Century Mortgage Company
50. Joseph N. Falcone and wife Mary E. Falcone	Countrywide Home Loans, Inc.	405 Sherwood Avenue Goldsboro, NC 27534	2/17/2006	Southern Bank and Trust Company
51. Darrell Arthur	HSBC Mortgage Services	107 Daffodil Drive Dudley, NC 27833	3/24/2006	Southern Bank and Trust Company
52. Goldtower Properties, LLC	Security Trust	602 Handley Acres Drive Goldsboro, NC 27530	7/13/2006	New Century Mortgage Company

Borrower	Seller	Property	Date	Lender
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53.	R.K. Parker, LLC	Deutsche Bank National Trust	102 Pleasant Ridge Road Goldsboro, NC 27530	7/25/2006	Southern Bank and Trust Company
54.	Gerale J. Condon	Secretary of Housing Development	913 Hobbs Street Clayton, NC 27520	8/14/2006	New Century Mortgage
55.	Gerale J. Condon	Household Realty Corporation	9527 Hwy 70 Clayton, NC 27520	10/13/2006	New Century Mortgage
56.	Abbey Road Investments, Inc.	BB&T	206 Dock Street Fremont, NC 27830	10/13/2006	New Century Mortgage